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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,831	01/18/2002	Toru Aoki	111469	6928

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OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

NGUYEN, JENNIFER T

ART UNIT PAPER NUMBER

2629

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,831

Applicant(s)

AOKI ET AL.

Examiner

Jennifer T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 16, 19-24 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1, 19-24 and 27 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed on 3/13/06.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Naito (Patent No. US 6,462,735).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C.

102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding claims 1 and 27, referring to Figs. 1-3, Naito teaches an image processing circuit, comprising:

a control-signal generating device (500) that generates a control signal indicating the type of an electro-optical panel (400) used in combination with the image processing circuit (200) (i.e., different type of an electro-optical has different V-T characteristic) (col. 5, lines 49-67);

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a D/A conversion device (260) that converts input image data from a digital signal to an analog signal to generate an image signal and that adjusts a range where the signal level of the image signal is changed, according to the control signal (col. 4, line 65 to col. 5, line 8);

and a processing device (not shown) that generates an output image signal to be sent to the electro-optical panel, according to the image signal (col. 15, lines 50-67).

Regarding claim 19, Naito teaches an electro-optical panel having an electro-optical material in which a transmittance of the electro-optical material is changed according to an applied voltage, and receiving the output image signal (col. 3, lines 17-19, col. 4, line 65 to col. 5, line 2).

Regarding claim 20, referring to Fig. 2, Naito teaches the electro-optical panel (400) further comprising:

a device substrate including a plurality of data lines (from data drive circuit 430), a plurality of scanning lines (from scanning circuit 420), switching devices (i.e., transistor, not shown) disposed at the intersections of the plurality of data lines and the plurality of scanning lines, and pixel electrodes connected to the switching devices (col. 7, lines 63-67);

an opposing substrate having an opposing electrode; and

an electro-optical material sandwiched by the device substrate and the opposing substrate (col. 8, lines 1-16),

the reference potential being the potential of the opposing electrode, and

the output image signal being sequentially sent to the plurality of data lines (col. 8, lines 27-34).

Regarding claim 21, referring to Fig. 10, Naito teaches a projection display device comprising an electro-optical device (col. 8, lines 41-43).

Regarding claim 22, Naito teaches a projection display device (1100) comprising:
a light source (1106);
an electro-optical device that modulates light emitted from the light source (col. 16, lines 17-25); and
a projection-lens system (1114) that projects light emitted from the electro-optical device (col. 16, lines 26-31).

Regarding claim 23, Naito teaches a phase-development circuit (230) (Fig. 2) that applies phase development to the image signal whose range is adjusted by the D/A conversion device, to generate phase-development image signals (col. 7, lines 29-43).

Regarding claim 24, Naito teaches the processing device generating the output image signal according to a voltage-transmittance characteristic of the electro-optical panel (col. 5, lines 49-67).

4. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claim 16 is allowed.

Response to Arguments

6. Applicants' arguments filed 3/13/2006, have been fully considered but they are not persuasive because as follows:

In response to Applicants' argument stated "Naito does not disclose or suggest a "type" of an electro-optical panel...as recited in claim 1" and "the "type" in the Office action only indicates a type of the device, but does not indicate a type of a display...". Examiner respectfully disagrees. Naito teaches changing the voltage applied to an electro-optical material permits change voltage-transmittance characteristics in the electro-optical display device (col. 3, lines 25-28, col. 4, lines 7-15), with different display device or panel, the range for using applied voltage-transmittance characteristics inherent in the electro-optical device to be changed to provision of an image with satisfactory brightness and high contrast. The limitation "a type of an electro-optical panel", as recited in claim 1, and "an electro-optical device (a projection-type display apparatus), comprising:...electro-optical panel", as recited in claim 19 and 22, that is similar to the electro-optical devices in a projection display device (fig. 10) and liquid crystal panel (fig. 12) of Naito. The ground of the rejection is maintained.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696.

The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen
5/8/06


RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600